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File No. 322(III)

19 31 .

Collection No.

mas 24/6

p.15

Mysore Residency

Bangalore.

Pros. Serial Nos. 1-5

Subject.

Transfer of Venkatigadu, Civil and Military Station prisoner from Bangalore Central Jail to British Indian Jails.

Previous References.	Later References.
	Pl: See 97 5-27/40 (Last Number)

S. 97. (Blue).

DOFT—1658S&P—(M-1937)—19-12-32—60,000.

NOTES AND PRECIS.

FILE No. 323 (III) 1931 .

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 . Nos.

Subject.

Transfer of Venkatigadu Civil and Military Station prisoner from Bangalore Central Jail to British Indian Jails.

Notes and Orders.

S. 1.

MGIPC—FP—89DCFMis.—(2028) —13-6 25 - 3,00,000.

Letter No.3382-C-32, dated the 14th July 1932, from the

S.N.1 District Magistrate, C. and M. Station, Bangalore.

Transfer of C. and M. Station Prisoner Venkatigadu with aliases from Bangalore Central Jail to Vellore Jail.

The prisoner is required at Ongole (Guntur District) on the 30th July 1932.

Draft sanctioning his transfer to Vellore Jail as requested by the District Magistrate, is submitted - vide precedent at S.No~~s. 51 and~~ 52/347-31.

V.V. Nayar
16-7-32

Secretary

1. Issue.
2. Why urgent? Cs ?

S.N.2. Issued No. 4793 Dated the 19th-7-1932.

The Secretary's query ~~above~~ on the previous page

Para 1 of S.N. 1

The prisoner is required for trial at Ongole on the 30th July 1932. He has to be removed to Vellore Jail after the issue of the order to the Superintendent of the Bangalore Central Jail. The District Magistrate of Guntur has thereafter to issue a warrant to the Superintendent of the Jail for the production of the prisoner at Ongole and he has accordingly to be conveyed so as to reach there on the 30th. As these arrangements will take time and can be effected only after the issue of the order the file was submitted with an urgent slip.

V.V. Nair.
(9-7-32.

Secy.
Home

S.N.3 Endorsement E.No.3760-C-32, dated the 28th July, 1932 from the District Magistrate, Civil and Military Station, Bangalore.

The Superintendent, Central Jail, Bangalore, who was asked in the Proceedings at S.N. 2 to transfer prisoner Nagasetty to Vellore Jail, now explains that he was sentenced by Mysore Court and not by the Civil and Military Station Court, and that the imprisonment was for failure

S.N.3. to give security under section 109 of the Code of Criminal Procedure. His sentence is due to expire on the 30th November, 1932.

'Failure to give security' has been held to be not an offence in Madras Presidency. In the circumstances explained, the proceedings at S.N. 2 may be cancelled and the District Magistrate, Guntur, informed that he might apply to the District Magistrate, Bangalore, for the surrender of the accused after the completion of his sentence in Bangalore Jail. If the accused is required to be surrendered before the completion of his term in Bangalore Jail it will not be possible to effect his resurrender under the Indian Extradition Act for the completion of the sentence.

Two drafts submitted.

V.V. Nair.
5/8/32.

Secy. 9/8

S.N.4 Issued No. 5322 Dated the 10-8-1932

S.N.5 Issued No. 5323 " 10.8.1932

[illegible] URGENT

No. 3382-C-32.

Office of the District Magistrate,
Civil and Military Station, Bangalore.

Dated 14th July 1932.

FROM

G.H.Cooke, Esq.,M.C.,I.C.S.,
DISTRICT MAGISTRATE, CIVIL AND MILITARY STATION,
BANGALORE.

To

The Secretary to the Hon'ble the Resident
in Mysore, Bangalore.

SIR,

Extradition of Venkatigadu with alias - Production order dated 6-7-32 from the District Magistrate, Guntur - Prisoner's transfer - requested.

I forward herewith a Production Order under Sec. 37 Prisoners Act received from the District Magistrate, Guntur, requiring the production of prisoner Venkatigadu with alias, before the Joint Magistrate, Ongole, on 30th July 1932. The prisoner was sentenced to 6 months simple imprisonment for failing to furnish security by the First Class Munsiff Magistrate on 31st May, 1932.

2. As the Prisoners Act III of 1900 except Sec.29 & 30 is not applicable to the Station, the Production order cannot be executed. I therefore, request that the Hon'ble the Resident be pleased to direct the transfer of the prisoner to Vellore Central Jail and to advise the District Magistrate, Guntur, to procure his appearance from there.

I have the honour to be,
Sir,
Your most obedient servant,

DIST. MAGISTRATE.

OFFICE OF THE RESIDENT IN MYSORE.
15 JUL 1932
Regd. No. 6382
File No.

DESPATCHED
JUL 1932

Municipal Commission's resolution dated the 28th May 1931. (Ordinary meeting).

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3. *Mr. Mahmood Shariff's proposition regarding the removal of certain liquor shops in the Station.*

The Standing Committee consider that this should be referred to the representatives of the Commission on the Local Excise Advisory Committee for necessary action.

) Item deferred at the ordinary meeting of the Municipal Commission dated the 27th March 1931.

Resolved that, as the location of toddy and arrack shops in the heart of the town is not conducive to the well-being of the people of the Station, the shops situated at Jewellers Street and Blackpally, be removed from their present places.

(Sd). G. H. Cooke,

President, M. C.

" Copy. "

5/6/31

MVL.

Cr. Mis. 82. 4.(30—1-3-23.

FORM OF ORDER REQUIRING THE ATTENDANCE OF A PRISONER TO ANSWER A CHARGE.

(*Section* 37, *Prisoners' Act*, 1900.)

(1) alias Muniyadu alias Sadasiva Venkatagadu of Settlement

IN THE COURT OF Joint Magistrate, Bezgole

To The Officer in charge of the Central jail, Bangalore

through the District Magistrate of Guntur.

You are hereby required to produce Parvathala Venkatigadu alias Jerukala Pamula Venkatigadu (1) now a prisoner in your jail under safe and sure conduct before this Court at Bezgole on the 30th day of July 1932 next by 11 of the clock in the forenoon of the same day, there to answer a charge now pending before this Court, and after such charge has been disposed of, or this Court has dispensed with his further attendance, cause him to be conveyed under safe and sure conduct back to the said prison. He was convicted u/s 109 Cr.P.C & sentenced to undergo S.I for 6 months as he did not furnish security

Date: 1-7-32 Jail No 3020 in C.C No 7/32 dated 31-5-32

Countersigned.

6/7/32
District Magistrate.

27.6.32
Joint Magistrate.
Bezgole

C.J. 917 dt 4/7/32

dt 4.7.32 Guntur
8
42 82

N:s 7609-32-Cg.

Countersigned & forwarded to the Supdt. central jail, Bangalore, through the 2d. Magistrate, Bangalore.

5/7/32
2d. Magistrate

V. Urgent
8/7/32
4-7-32.
Q.Matter.

N.Ref.3382-C-32

M. M. for remarks in consultation with the Superintendent, Central Jail, Bangalore.

District Magistrate
& M. Station, Bangalore

BANGALORE
8 - JUL 1932
No. 3382-C.

Jail Superintendent
8/7

Encl. C.

Form 35 C 1

729-A-32

9.7.

The Superintendent Central Jail for favour of very early remarks.

Sd/- 13/7

Head Asst.

Sd/- 13/7

Head Asst.

Retransmitted with Confidential Roll which no 3030 goes here by the name of Nagasetty and is undergoing 6 months simple imprisonment inflicted on him in C.M.C no 7 of 1932 of your file for failing to furnish security under Sec 123 Cr. Pr. Code and is due for release on 30-11-1932. The offence is not extraditable and Rule 5 of the Jail Manual published under G.O No J. 768-23/dept 141 dated 4-1-1908 by Government ~~dated~~ 1932 where a person is confined in default of security under any of the provisions of the Criminal Procedure Code he shall not be surrendered till the expiry of his term of imprisonment. I would therefore suggest that the prisoner may be caused to be arrested on 30-11-1932 the morning after release & be taken directly before the Magistrate

Sd/- Illegible
Head Asst.

at Erode. The Govern his immediate friends is reported
the Hon'ble the British Resident will have to be moved to sanction
his transfer to the Central Jail at Vellore whence the Erode murder
can have been brought for trial before him under the Prisoners' Act.

I have at present caused to be noted in the records of this office
that the prisoner has a case pending against him at Erode & will have
to be moved over to Madras before his release.

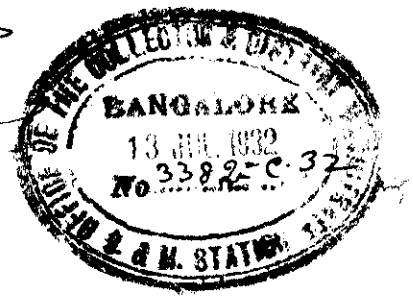
Superintendent - RC Jail

729-A-32.

18/7/32

Forwarded to the Dt. Magistrate of N. Arcot, Chittoor, Bangalore, with the remarks of the Supdt, Central Jail.
I am also of opinion that the prisoner ~~Hanif Sahib~~
can not be immediately handed over
that the suspension of his sentence

order may adjourn the case into open Court
and release the Petitioner upon his executing
a Bond with sureties for his appearance in the
Court concerned under the circumstances



2

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

No 4793 Dated Bangalore 19th July 1932.

Read:-

S.N.1/a
Ct. & P.C.

1. Endorsement No.7609-32-G, dated the 5th July 1932, from the District Magistrate, Guntur.

S.N.1
P.C.

2. Letter No.3382-C-32, dated the 14th July 1932, from the District Magistrate, Civil and Military Station, Bangalore.

O R D E R.

4 S.N.4/36-18
(T)

In exercise of the powers delegated to him under the notification of the Government of India in the Foreign and Political Department No.841-~~3~~I-~~B~~. dated the 21st March 1918, the Hon'ble the Resident directs that ~~the~~ prisoner No.3030 of Bangalore Central Jail, - Parvathala Venkatigadu Nagasetty alias Yerukala Paenula Venkatigadu alias Munigadu alias Sadupati Venkatigadu of Stuart-puram Settlement who was convicted by the Munsif-Magistrate, Civil and Military Station, Bangalore, in C.C. No.7 of 1932 on the file of his Court, be tranferred from the Bangalore Central Jail to the Central Jail at Vellore.

S.N.1/a
Ct. & P.C.

for President
Mines Dcc S.N. 52/347-31
(L)

Secretary to the Resident.

To the District Magistrate, C. and M. Station, Bangalore.
" the Superintendent, Central Jail, Bangalore City

To the Superintendent, Central Jail,
Vellore.

the District Magistrate, Guntur.

18/7

Rest
18/7/82

Letter No.1507/F.2 dated 27th July 1932, from the Superintendent, Central Jail, Bangalore, to the District Magistrate, C & M Station, Bangalore.

Transfer of prisoner No.3030 Nagasetty with aliases from this Jail to the Vellore Central Jail.

S.N. 1 (A) Letter No.3382-C-32 dated the 14th July 32 from the District Magistrate, C & M Station, Bangalore to the Hon'ble the Resident in Mysore and Proceedings No.4793 dated the S.N. 2 (B) 19th July 1932 of the Hon'ble the Resident in Mysore.

I have the honour to bring to your kind notice that the prisoner referred to in the above cannot be transferred to the Central Jail at Vellore as the sentence of imprisonment he is undergoing in this jail is one passed by a State Court viz.,Ex-Officio 1st Class Magistrate - Doddaballapur Sub Division in C.C.C.No.7 of 1931-32 of his file and not by any Station Court.

The mistake has arisen in the following manner:-

The form of order dated 2-7-32 from the Joint Magistrate, Ongole, sent with your endorsement No.3382-C-32 dated 8-7-32 to the Station Munsiff Magistrate who in turn endorsed it to me showed that the person required "was convicted under Section 109 C.P.C.and sentended to undergo S.I.for 6 months as he did not furnish security-Jail No.3030 in C.C.No.7/32, dated 31-5-32". The name of the Court which passed the sentence he is undergoing here had not been mentioned and as the No. of the case had been given as 7 of the year 1932 a mode which is common only in the Station Courts-The Mysore Courts giving the No.of cases as 1931-32 or 1932-33, it was taken as a matter of course, that the person wanted is a C & M Stn., Court prisoner and his transfer to the Vellore Central Jail was suggested as an easy step that may be adopted for his immediate production before the Ongole Magistrate. Now I find that the person is not convicted in C.C.No.7 of 1932 on the file of any Station Court, I request that you will be good enough to procure for me an order cancelling his transfer and also cause necessary steps to be taken to get him arrested at the jail gate on his release on

on 30-11-1932.

-------:o:-------

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
29 JULY 1932
Regd. No. 6800
File. No.

URGENT.

E No. 3760 -C-32.

Office of the Dist. Magistrate,
C & M Station, Bangalore,
Dated 28th July 32.

Copy forwarded to the Secretary to the Hon'ble the Resident in Mysore, Bangalore, for favour of necessary action.

DESPATCHED
28 JUL. 1932

DISTRICT MAGISTRATE.

(4

DEPARTMENT.

BRANCH.

File No: 322/31

Serial No:

Draft Letter / Memorandum / Telegram

Class for telegrams — Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

To be issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

Issued on

× S.N.2. (B)

S.N.3

P.U.C

No.5322 Dated 10th August 1932

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

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Read again:-

Proceedings No.4793, dated the 19th July, 1932.

Letter No.1507/F.2, dated the 27th July, 1932, from the Superintendent, Central Jail, Bangalore.

Endorsement E.No.3760-C-32, dated the 28th July, 1932, from the District Magistrate, Civil and Military Station, Bangalore.

O R D E R.

The proceedings read above are hereby cancelled.

Secretary to the Resident

To the Superintendent, Central Jail, Bangalore.
" Superintendent, Central Jail, Vellore.

S. S.
MGIPC—S1—329 CPS) DOF—(G-1432)—24-4-31—50,000 Pads.

15

DEPARTMENT.

BRANCH.

File No. 322/31

Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams: Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

To be issued on | Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

S.N. 2 (Code word for telegrams.)

S.N. 3.

P.C.

S.N. 3

No. 5323 Ests 2 Dated 10th Aug - 1932

From

The Secretary to the Resident.

To

The District Magistrate,

Guntur.

Venkatigadu with aliases - prisoner of Bangalore Central Jail - Order dated the 6th July, 1932 for production at Ongole.

Sir,

I am directed to refer to proceedings No.4793, dated the 19th July, 1932 of the Hon'ble the Resident in Mysore and to forward in continuation, for your information, a copy of letter No.1507/F.2, dated the 27th July, 1932, from the Superintendent, Central Jail, Bangalore and Proceedings No. S322 dated 10th August, 1932, of the Hon'ble the Resident. The Superintendent, Central Jail, Bangalore, states that the accused was imprisoned under section 109 of the Code of Criminal Procedure for failing to give security. This has been held to be not an 'offence' in British India. If the accused is surrendered to the Joint Magistrate, Ongole, before the completion of his sentence, it will not be possible to effect his resurrender under the Indian Extradition Act, 1903, to Bangalore Jail for the completion of the sentence.

S. 5.
MGIPC—S1—325 (CPS)DGP—(C)—24-4-31—50,000 Pads.

I am therefore to suggest that, if you see no objection, you may move the District Magistrate, Bangalore ~~Division,~~ a city for the surrender of the accused after the completion of his sentence in the Central Jail on the 30th November, 1932.

I have etc.,

Secretary to the Resident.